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Santeri Anttalainen

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ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

EXAMINER

MANOHARAN, MUTHUSWAMY GANAPATHY

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

02/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

Applicant's arguments filed 1/12/2008 have been fully considered but they are not persuasive.

Applicant argues that the dispatcher MSC is used in between the pool of MSCs and the BSS and merely acts as a resource broker, which distributes mobile mobile subscribers among pool of MSCs. The applicant's invention does not use any type of special switch to distribute the subscribers with the MSCs.

Applicant's primary communication control entity establishes a direct connection to the access part without using another communication control entity. Plurality of communication control entities (items 121,122 and 123) are connected to plurality of access control entities (items 111,112,113,114, and 115). Therefore, the communication control entity requires a selection of the access control entity to reach the communication device. How the communication control unity knows through which access part it can reach the mobile device?. For example there is no direct connection between item 121 and item 101.

The dispatcher of Ernam is just to provide that functionality and is not "another communication control entity" as in claim. The other reference by Brudos is included to show that one can have a distributed control entity as in Figure 2.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

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references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Brudos further provides an alternate way of handling the routing, since both distributed and centralized control entity are two different ways of handling the routing.

In view of above the finality of the rejection has been maintained.

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